

REMARKS/ARGUMENTS

Status of Claims

Prior to this Amendment, claims 1-20 were pending in the application. All pending claims stood finally rejected pursuant to a final Office Action mailed March 18, 2008. Claims 1, 10, and 17 have been amended. Claim 13 has been canceled. No claims have been added. Hence, after entry of this amendment, claims 1-12 and 14-20 are pending for examination.

Claims 1-7, 9-15 and 17-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the cited portions of U.S. Patent No. 5,899,980 to Wilf et al. (“Wilf”) in view of the cited portions of U.S. Patent No. 5,826,241 to Stein et al. (“Stein”), the cited portions of U.S. Patent Publication No. 2002/0004783 to Paltenghe et al. (“Paltenghe”), the cited portions of U.S. Patent No. 5,758,126 to Daniels et al. (“Daniels”), the cited portions of U.S. Patent No. 6,102,287 to Matyas, Jr. (“Matyas”), and Applicant Admitted Prior Art (“AAPA”). This rejection was the subject of the appeal.

Claims 8 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wilf, Stein, Daniels, Matyas and AAPA in view of the cited portions of U.S. Patent No. 5,920,847 to Kolling et al. (“Kolling”). This rejection was also considered by the Board of Patent Appeals on Interferences (“BPAI”).

The BPAI’s decision affirmed-in-part the Examiner’s rejections. The decision of the Examiner to reject claim 13 was reversed.

Claims 1, 10, and 17 have been amended to include subject matter from claim 13, which subject matter is not taught or suggested by the cited references, as stated in the Decision on Appeal. Accordingly, all pending claims are believed to be allowable, at least for the foregoing reason.

Appl. No. 09/991,379
Amdt. dated June 30, 2010
Reply to Decision on Appeal Mailed April 30, 2010

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

Further, the Commissioner is hereby authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 20-1430.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

/Irvin E. Branch/

Irvin E. Branch
Reg. No. 42,358

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
Attachments
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